

Application No. 09/724,567
Amendment dated January 23, 2004
Response to the Final Office Action mailed October 23, 2003

REMARKS/ARGUMENTS

After entry of this amendment, claims 58-71 are pending, claims 1-56 having been canceled.

The term "preventing" has been replaced with "prophylaxis" in the claims. Previous claim 11 referred to "treating" and "preventing" in the same claim. Because "prophylaxis" is a noun and "treating" is a verb, it is grammatically awkward to refer to both in the same claim. Accordingly, treating and prophylaxis are now claimed in two independent claims 58 and 65, respectively. New independent claims 58 and 65 correspond to previously presented claim 11. New claims 59-64, which depend from new claim 58, and new claims 66-71, which depend from claim 65, correspond to claims 19 and 21-25, respectively. Support for prophylaxis is provided at e.g., p. 51, lines 17-19.

Claims 11, 15, 18, 19, and 21-25 stand rejected under 35 U.S.C. § 112, ¶1. Claims 11, 15, 18, 19, and 21-25 have been canceled; and, new claims 58 and 65, which include the elements from previous claims 11, 15, and 18, have been added to expedite prosecution without conceding that the Examiner's rejection is warranted on this basis.

Applicant requests that the Examiner contact the undersigned at 650-326-2400 to schedule a telephonic interview.

Respectfully submitted,

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